

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 2, 4, 8, and 10 and amended claims 1, 3, 5-7, 9, 11, and 12 are in the application.

Claims 5-6 and 12 were rejected under 35 U.S.C. 102(e) as being anticipated by Fukunaga, et al. (U.S. Patent No. 6,603,737).

Independent claim 5, as amended herein, recites in part as follows:

“...wherein said printing state information indicates a paper-jam.”

It is respectfully submitted that the portions of Fukunaga applied by the Examiner (hereinafter “Fukunaga”) do not disclose the above-recited feature. Accordingly, independent claim 5 is believed to be distinguishable from Fukunaga.

For reasons similar to those described above with regard to claim 5, independent claims 6 and 12 are believed to be distinguishable from Fukunaga.

Claims 1-4 and 7-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga in view of Roosen, et al. (U.S. Patent No. 6,618,163).

Independent claim, as amended herein, 1 recites in part as follows:

“...wherein said printing state information indicates a paper-jam.”

It is respectfully submitted that neither Fukunaga nor Roosen as applied by the Examiner discloses the above-recited feature. Accordingly, independent claim 1 is believed to be distinguishable from the applied combination of Fukunaga and Roosen.

For reasons similar to those described above with regard to claim 1, independent claims 3, 7, 9, and 11 are believed to be distinguishable from the applied combination of Fukunaga and Roosen.

Claims 2, 4, 8, and 10 depend from one of claims 1, 3, 7, and 9, and, due to such dependency, are believed to be distinguishable from the applied combination of Fukunaga and Roosen for at least the reasons previously described.

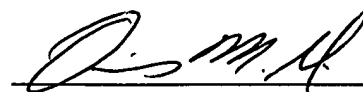
In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Dennis M. Smid
Reg. No. 34,930
(212) 588-0800